

Message Text

CONFIDENTIAL

PAGE 01 USUN N 00974 261800Z

11

ACTION IO-10

INFO OCT-01 EUR-12 ISO-00 AF-06 ARA-06 EA-06 NEA-09

CIAE-00 DODE-00 PM-03 H-02 INR-07 L-02 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 SS-15 USIA-06 /094 W

----- 114950

R 261713Z MAR 75

FM USMISSION USUN NY

TO SECSTATE WASHDC 9660

INFO AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

C O N F I D E N T I A L USUN 974

E.O. 11652: GDS

TAGS: UN PFOR

SUBJ: CHARTER REVIEW

1. SUMMARY ON 25 MARCH US, UK AND FRENCH MISOFFS DISCUSSED POSSIBLE RESPONSES TO SYG'S INQUIRY CONCERNING UPDATING OF EARLIER STATED VIEWS ON CHARTER REVIEW. DISCUSSION CENTERED ON DIFFICULTIES WHICH MAY BE CAUSED BY ADVANCING SPECIFIC REFORM PROPOSALS IN ANY SUCH RESPONSE.

2. DETAILS. FRENCH MINISTER SCALABRE, UKUN LEGAL ADVISER STEEL AND MISOFFS DISCUSSED PROBLEMS INVOLVED IN MAKING OPTIMUM RESPONSE TO SYG'S INQUIRY CONCERNING UPDATING OF EARLIER VIEWS ON CHARTER REVIEW. THE SECRETARIAT HAS RECEIVED NO RESPONSES TO DATE; THREE DELS THOUGHT UNLIKELY MANY GOVTS WOULD SUBMIT SUBSTANTIAL ANSWERS. REIS NOTED TWO REASONS FOR CIRCUMSPECTION IN CONSIDERING POSSIBLE WESTERN RESPONSES: (A) CHARTER REVIEW COMMITTEE IS AT MOST ONLY ONE FORUM, AND UNILKELY TO BE THE BEST PLACE, FOR SERIOUS EFFORTS TO IMPROVE FUNCTIONING OF UN, AND THAT ORTIZ DE ROZAS VAIL GROUP, POSSIBILITY OF A FAR BETTER 30TH GA PRESIDENT, AND MANDATE OF 7TH SPECIAL SESSION MAY PROVIDE MORE RELEVANT FOCUS FOR SERIOUS AND SUSTAINED EFFORTS;

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 USUN N 00974 261800Z

(B) IT MAY PROVE IN TIME HARMFUL TO HAVE MADE A DETAILED

SUBSTANTIVE REPLY AT THIS EARLY STAGE IN ADVANCE OF A CONCRETE APPRAISAL OF THE PRACTICAL DIPLOMATIC CONTEXT AND OF THE CHARTER REVIEW COMMITTEE. INDEED, REASONS OF THIS CHARACTER HAD PROMPTED WASHINGTON TO MAKE A CIRCUMSCRIBED REPLY TO THE SYG'S REQUEST FOR VIEWS ON THE 7TH SPECIAL SESSION (STATE 061678). REIS MADE POINT THAT IT ONE THING TO HAVE SPECIFIC PROPOSALS IN HAND TO BRING FORWARD IF IT SEEMS DESIRABLE AS TACTICAL SITUATION UNFOLDS IN THE REVIEW COMMITTEE AND QUITE ANOTHER MATTER TO VOLUNTEER THEM BEFORE THE COMMITTEE HOLDS ITS FIRST MEETING AND BEFORE WE HAVE CLEAR INDICATIONS HOW OTHER SIDES PLAN TO HANDLE THE MATTER. IT WAS ALSO NOTED IT WOULD BE CURIOUS, IN VIEW US-UK-FRENCH-SOVIET OPPOSITION TO AND VOTES AGAINST THE ESTABLISHMENT OF THE CHARTER REVIEW COMMITTEE, IF WE WERE AMONG THE VERY FEW TO RESPOND TO THE SYG'S CURRENT UPDATING INQUIRY. SUBJECT TO THESE OBSERVATIONS, IT WAS AGREED THAT GENERALIZED US-UK-FRENCH RESPONSES TO THE SYG'S INQUIRY WOULD IN PRINCIPLE DO NO HARM AND MIGHT LATER PROVE USEFUL IN PROVIDING BASIS FOR ASSERTIVE WESTERN ROLE IN THE CHARTER REVIEW COMMITTEE SHOULD THAT PROVE DESIRABLE.

3. SCALABRE REPEATED HIS OPINION (USUN 693) PARIS WOULD NOT BE INCLINED TO REPLY AT ALL BUT THAT IF UK AND US ANSWERED, QUAI WOULD LIKELY STATE SIMPLY THAT FRENCH POSITION IS WELL KNOWN AND HAS NOT CHANGED. SCALABRE PERSONALLY THOUGHT RESPONSE OF SOMEWHAT GREATER LENGTH (BUT NOT SUBSTANCE) MIGHT BE DESIRABLE IN ORDER TO INDICATE THAT GOF HAS PREVIOUSLY GIVEN SERIOUS CONSIDERATION TO RANGE OF QUESTIONS INVOLVED; SUCH A RESPONSE MIGHT NOTE THAT OBSERVATIONS SUBMITTED BY GOVERNMENTS IN CONNECTION WITH ROMANIAN STRENGTHENING OF UN ITEM HAVE NEVER BEEN STUDIED BY A COMPETENT UN BODY AND SUGGEST CHARTER REVIEW COMMITTEE MIGHT BEGIN BY LOOKING AT THOSE COMMENTS. WE NOTED SUCH A REPLY WOULD BE CONSISTENT WITH STRESS THAT SHOULD BE PLACED ON PART (C) OF CHARTER REVIEW COMMITTEE MANDATE, NAMELY, THAT COMMITTEE SHOULD STUDY SUGGESTIONS FOR BETTER UN FUNCTIONING "THAT MAY NOT REQUIRE AMENDMENTS TO THE CHARTER" (ALTHOUGH WE COULD NOT REASONABLY ENTERTAIN THE HOPE WE WOULD PREVAIL IN GETTING THE COMMITTEE TO BEGIN WITH PART (C) PROPOSALS AND WOULD IN FACT, DO WELL IF WE COULD CONFIDENTIAL

CONFIDENTIAL

PAGE 03 USUN N 00974 261800Z

AVOID THESE BEING PLACED AT THE END OF ANY PROGRAM THE COMMITTEE MIGHT DRAW UP).

4. SCALABRE SAID FRANCE STRONGLY HOPED NONE OF OUR GOVERNMENTS WOULD INCLUDE IN RESPONSES TO SYG PROPOSALS THAT WOULD REQUIRE OR BE SEEN TO REQUIRE CHARTER AMENDMENT. STEEL AGREED, AS DID WE. STRESSING HE WAS SPEAKING PERSONALLY AND THAT THE DEPARTMENT MIGHT NOT AGREE, REIS SAID WE

ARE NOT CONVINCED OF DESIRABILITY OF INCLUDING SPECIFIC PROPOSALS IN WESTERN RESPONSES. FOR EXAMPLE, IT WOULD BE UNWISE TO INCLUDE PROPOSALS WHICH THERE IS GROUND FOR HOPING WILL EMERGE FROM OTHER SOURCES AND BE WELL RECEIVED. THUS, IT COULD BE HARMFUL TO PROPOSE A MORE ACTIVE AND SUSTAINED ROLE FOR GA'S GENERAL COMMITTEE SINCE THIS IS THE MAIN SUBJECT OF THE VAIL GROUP STUDY; US SUPPORT AT THIS STAGE WOULD HAVE THE EFFECT OF ENDING THE ORTIZ DE ROZAS EFFORT. AGAIN, ADVANCING A SERIOUS PROPOSAL FOR RULE CHANGES REQUIRING CONSENSUS EFFORTS ALONG LINES OF LAW OF THE SEA AND NPT REVIEW CONFERENCES WOULD BE PREMATURE AND, FOR THIS REASON, NOT HELPFUL; ATTACHING A "MADE IN USA" LABEL COULD PROVE TO BE HARMFUL IN WHAT WILL HAVE TO BE A SUBSTANTIAL NEGOTIATION FOR A GOAL OF THIS SIGNIFICANCE. STILL ANOTHER TYPE OF SPECIFIC PROPOSAL THAT SHOULD NOT BE ADVANCED AT THIS STAGE WOULD BE THOSE WE DID NOT CONSIDER WOULD REQUIRE CHARTER AMENDMENT BUT WHERE UN OR MAJORITY OF MEMBERS HOLD A CONTRARY VIEW; THUS, WHILE US HAD IN THE PAST PRESSED MINISTATE PROPOSALS AND ARGUED CHARTER AMENDMENT WOULD NOT BE REQUIRED, UN LEGAL COUNSEL HAD IN PUBLISHED OPINION TAKEN CONTRARY VIEW AND THE QUESTION COULD NOT BE SUCCESSFULLY RELITIGATED; SIMILAR POINT WOULD APPLY TO GA WEIGHTED VOTING SUGGESTIONS IN VIEW OF CHARTER ART 18 PROVISION GIVING EACH MEMBER ONE VOTE IN THE ASSEMBLY.

5. STEEL SAID UKUN BELIEVES IT IN PRINCIPLE DESIRABLE IF WESTERN REPLIES CONTAIN SPECIFIC SUGGESTIONS. WE AND SCALABRE SAID WE DID NOT THINK IT POSSIBLE TO SUSTAIN THIS CONCLUSION A PRIORI BUT THAT THE DETAILS OF POSSIBLE PROPOSALS SHOULD BE LOOKED AT SYMPATHETICALLY. STEEL SAID LONDON WOULD AGREE TO PROVIDE DRAFT UK RESPONSE AND PROPOSALS FOR REVIEW BY US, FRANCE AND USSR UN MISSIONS WITH SUFFICIENT TIME FOR CAREFUL CONSIDERATION BEFORE PUTTING CONFIDENTIAL

CONFIDENTIAL

PAGE 04 USUN N 00974 261800Z

SAME IN FINAL FORM; LONDON WOULD NOT DOUBT WANT SAME OPPORTUNITY IN RELATION TO POSSIBLE RESPONSES OF OTHERS.

6. STEEL SAID HE WOULD LIKE US TO CONSIDER POSSIBLE WESTERN EFFORT TO GET CHARTER REVIEW COMMITTEE AT UPCOMING SESSION TO CONCENTRATE ON IDENTIFYING AREAS FOR FUTURE DETAILED STUDY. EG, COMMITTEE MIGHT INCLUDE IN SUCH A LIST "DECISION-MAKING IN THE GENERAL ASSEMBLY", WHICH WOULD ACCOMMODATE SUGGESTIONS REQUIRING CHARTER AMENDMENT AND THOSE WHICH WOULD NOT. STEEL DID NOT THINK THAT THE COMMITTEE WOULD BE ABLE TO REACH AGREEMENT ON PRIORITIES AS AMONG THESE STUDY AREAS IF WE DID NOT WISH IT TO DO SO; THAT WOULD BE PUT OVER FOR A SESSION NEXT YEAR. WE AND SCALABRE AGREED TO REPORT AND REFLECT ON HIS IDEA.

7. STEEL ALSO STRESSED NEED TO CONSULT WITH USSR MISSION
AS SOON AS NEXT WEEK; HE HAS DETECTED EVIDENCE THAT UNWILLING-
NESS OF THREE WESTERN MISSIONS TO MEET WITH SMUN WILL
OCCASION CONSIDERABLE SUSPICION ON PART OF SOVIETS. WE
SAID WE THREE COULD CERTAINLY HAVE A FIRST TALK WITH SOVIETS
IN CURRENT TIME FRAME. IT WAS AGREED THAT US, UK AND
FRENCH MISSIONS WILL MEET AGAIN 2 APRIL FOR FURTHER CON-
SIDERATION THESE QUESTIONS. WE WOULD ANTICIPATE FOLLOWING
WITH MEETING WITH SOVS.
WHITE

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CONSTITUTION, REORGANIZATIONS, ORGANIZATION & MANAGEMENT, GOVERNMENT REACTIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 26 MAR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975USUNN00974
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750106-0984
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750312/aaaaakhv.tel
Line Count: 179
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION IO
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 22 MAY 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <22 MAY 2003 by ifshinsr>; APPROVED <27 MAY 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CHARTER REVIEW
TAGS: PFOR, PORG, UN
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006